

II. Response to Restriction Requirement

In response to the Restriction Requirement issued in the Office Action of June 26, 2007, Applicant respectfully requests clarification and confirmation of the Restriction Requirement as noted herein.

5 It was Applicant's understanding that Examiner contacted Applicant's previous Attorney of Record, Mr. Gordon Arnold, in December 2005, to request an oral election to a Restriction Requirement. (It was not clear if the December 2005 Restriction Requirement differed from that in March 2006, mentioned in the Office Action on page 5, paragraph 8). During the December 2005 telephone conversation, it was Applicant's
10 understanding that the Restriction Requirement was as follows: Group I: Claims 1-17; 128-131. Group II: Claims 18-34; 132-142. Group III: Claims 35; 143-145. Group IV: Claims 36-57. Group V: Claims 58-91. Group VI: Claims 92-112. Group VII: Claims 113-127. Group VIII: Claims 146-150. Group IX: Claims 151-157. In view of the foregoing, Applicant herewith respectfully objects on the grounds that the grouping of
15 claims in the Restriction Requirement of the Office Action of June 26, 2007 was not clear in view of the previous grouping of claims set forth during the December 2005 Restriction Requirement; moreover, Applicant is uncertain about the criteria used to group the claims in the Restriction Requirement of the Office Action of June 26, 2007 as noted herein.

20 Applicant respectfully requests that Examiner call the new Attorney of Record, at the telephone number listed below, to clarify the Restriction Requirement and if there are other matters which can be discussed by telephone to advance prosecution of this application.

To move prosecution forward, however, based on the Restriction Requirement
25 issued in the Office Action of June 26, 2007, and without waiver of the above objection, Applicant hereby elects, with traverse, the Group I invention, which according to the Office Action, includes claims 1-34 and 128-142; however, nothing in this election shall be seen as an admission of anything in the detailed action set forth in the Office Action or that the claims fail to read on other inventions or species.

30 In addition, Applicant respectfully requests that Examiner allow Applicant to file a preliminary amendment to correct any claim dependency errors (as noted in the Office Action of June 26, 2007, page 6, paragraph 9), after Examiner and Applicant

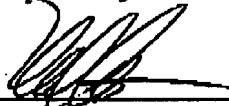
communicate by telephone or otherwise regarding clarification of the invention groupings between the December 2005 Restriction Requirement and the June 2007 Restriction Requirement--as well as clarification of the dependency errors related to "method claims that refer to devices" as noted in the Office Action.

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Respectfully submitted,

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